

Applicants: RAVI, Ashoke et al.
Serial Number: 10/608,142

Assignee: Intel Corporation
Attorney Docket: P-5783-US

REMARKS

Applicants have carefully studied the Office Action. This paper is intended to be fully responsive to all points of rejection and objection raised by the Office Action and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Status of the Claims

Claims 1, 3-11, 13-21 and 23-27 are pending in the Application. Claims 2, 12 and 22 have been canceled, without prejudice or disclaimer. Claims 1, 3-4, 7-9, 11, 13-14, 17-19, 21, 23-24 and 27 have been amended.

Voluntary Amendment of Claims

Applicants have amended claims 1, 3-4, 7-9, 11, 13-14, 17-19, 21, 23-24 and 27 to more clearly define what the Applicants regard as the invention.

No new matter has been added.

Specifically, claims 1 and 11 have been amended to recite: wherein the tuner is connected between first and second paths of said oscillator, wherein the first path includes said first oscillation tank and a first scaler, wherein the second path includes said second oscillation tank and a second scaler, wherein the first scaler is to produce a first gain in said first path, and wherein the second scaler is to produce a second gain in said second path.

Claims 3-4 and 7-9 have been amended to depend from claim 1, instead of from claim 2.

Claim 8, which depends from claim 1, has further been amended to accommodate the amendment of claim 1.

Claim 9 has further been amended to recite the tuner, instead of the scaler.

Claims 13-14 and 17-19 have been amended to depend from claim 11, instead of from claim 12.

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Claim 18, which depends from claim 11, has further been amended to accommodate the amendment of claim 11.

Claim 19 has further been amended to recite the tuner, instead of the scaler.

Claims 21 has been amended to recite: wherein tuning comprises: providing a control signal at a node connected between first and second paths of said oscillator, wherein the first path includes said first oscillation tank and a first scaler, and wherein the second path includes said second oscillation tank and a second scaler; providing by the first scaler a first gain in said first path; and providing by the second scaler a second gain in said second path.

Claims 23-24 and 27 have been amended to depend from claim 21, instead of from claim 22.

Claim Rejections Under 35 USC §102(b)

The Office Action rejected claims 1, 11 and 21 under 35 USC §102(b) as being anticipated by Holdaway, United States Patent Number 4,198,604 ("Holdaway").

Applicants respectfully submit that in view of the foregoing amendment, the rejection of claims 1, 11 and 21 under 35 USC §102(b) as being anticipated by Holdaway should be withdrawn.

As is well established, in order for a claim to be anticipated by the prior art, each and every element and feature of the claim must be included in a single prior art document.

Each of amended independent claims 1 and 11 recites, *inter alia*, wherein the tuner is connected between first and second paths of said oscillator, wherein the first path includes said first oscillation tank and a first scaler, wherein the second path includes said second oscillation tank and a second scaler, wherein the first scaler is to produce a first gain in said first path, and wherein the second scaler is to produce a second gain in said second path. Holdaway does not disclose, teach or suggest at least this feature of amended independent claims 1 and 11. Therefore, Holdaway does not anticipate independent claims 1 and 11, as amended.

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Amended independent claim 21 recites, *inter alia*, wherein tuning comprises providing a control signal at a node connected between first and second paths of said oscillator, wherein the first path includes said first oscillation tank and a first scaler, and wherein the second path includes said second oscillation tank and a second scaler; providing by the first scaler a first gain in said first path; and providing by the second scaler a second gain in said second path. Holdaway does not disclose, teach or suggest at least this feature of amended independent claim 21. Therefore, Holdaway does not anticipate independent claim 21, as amended.

Applicants would like to point out that the Office Action states, in section 4, that Holdaway does not teach a scaler to produce a first gain in a first path of the oscillator associated with the first oscillation tank, and to produce a second gain in a second path of the oscillator associated with the second oscillation tank. These features are recited, in paraphrase, in each of independent claims 1, 11 and 21, as amended.

In view of the above, Applicants respectfully submit that each of amended independent claims 1, 11 and 21 meets the novelty requirements of 35 USC §102(b).

Applicants respectfully submit that the above-mentioned distinctions of amended independent claims 1, 11 and 21 would not have been obvious at the time the invention was made to a person having ordinary skill in the art, in view of any of the references on record, alone or in combination. Therefore, while the Office Action has not made such a rejection, Applicants respectfully submit that amended independent claims 1, 11 and 21 meet the patentability requirements of 35 USC §103.

In view of the above, Applicants respectfully request that the rejection of claims 1, 11 and 21 under 35 USC §102(b) as being anticipated by Holdaway be withdrawn

Claim Rejections Under 35 USC §103(a)

The Office Action rejected claims 2-10, 12-20 and 22-27 under 35 USC §103(a) as being unpatentable over Holdaway in view of Igarashi et al., United States Patent Number 5,940,143 ("Igarashi").

Claims 2, 12 and 22 have been canceled, without prejudice or disclaimer.

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Without conceding the appropriateness of the combination, and without conceding that the combination renders claims 3-10, 13-20 and 23-27 obvious, Applicants respectfully submit that in view of the foregoing amendment, the rejection of claims 3-10, 13-20 and 23-27 under 35 USC §103(a) as being unpatentable over Holdaway in view of Igarashi should be withdrawn.

Each of amended independent claims 1 and 11 recites, *inter alia*, wherein the tuner is connected between first and second paths of said oscillator, wherein the first path includes said first oscillation tank and a first scaler, wherein the second path includes said second oscillation tank and a second scaler, wherein the first scaler is to produce a first gain in said first path, and wherein the second scaler is to produce a second gain in said second path. Holdaway and/or Igarashi, alone or in combination, do not disclose, teach or suggest at least these features of amended independent claims 1 and 11. Therefore, Holdaway and/or Igarashi, alone or in combination, do not render amended independent claims 1 and 11 obvious.

Amended independent claim 21 recites, *inter alia*, wherein tuning comprises providing a control signal at a node connected between first and second paths of said oscillator, wherein the first path includes said first oscillation tank and a first scaler, and wherein the second path includes said second oscillation tank and a second scaler; providing by the first scaler a first gain in said first path; and providing by the second scaler a second gain in said second path. Holdaway and/or Igarashi, alone or in combination, do not disclose, teach or suggest at least these features of amended independent claim 21. Therefore, Holdaway and/or Igarashi, alone or in combination, do not render amended independent claim 21 obvious.

Claims 3-10, claims 13-20, and claims 23-27 are dependent from amended independent claims 1, 11 and 21, respectively, and include all the features of these amended independent claims as well as additional distinguishing features. Therefore, it is respectfully submitted that the patentability of claims 3-10, claims 13-20, and claims 23-27 follows directly from the patentability of amended independent claims 1, 11 and 21, respectively.

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In view of the above, Applicants respectfully request that the rejection of claims 3-10, 13-20 and 23-27 under 35 USC §103(a) as being unpatentable over Holdaway in view of Igarashi be withdrawn.

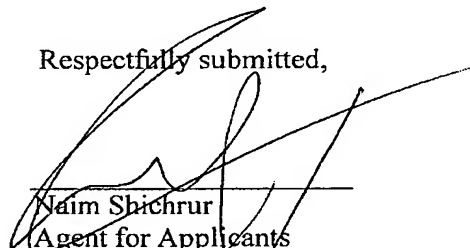
Conclusion

In view of the foregoing amendment and remarks, and for at least the reasons discussed above, Applicants respectfully submit that claims 1, 3-11, 13-21 and 23-27 are deemed to be allowable. Their favorable reconsideration and allowance are respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

No fees are believed to be due in connection with this paper. However, if any fees are in fact due in connection with this paper, please charge any such fees to deposit account No. 50-3355.

Respectfully submitted,



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